



State Council on Developmental Disabilities

## **COUNCIL MEETING MINUTES**

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**DATE:** May 17th & 18<sup>th</sup>, 2004

**STARTING TIME:** 1:30 p.m. on May 17, 2004  
9:30 a.m. on May 18, 2004

**PLACE:** Double Tree Hotel  
2001 Point West Way  
Sacramento, CA 95815-4702

### Members Present

Peter Mendoza  
Sascha Bittner  
Sunny Maden  
Eileen Cubanski  
Stacy McQueen  
Cary Bujold-Kreutzler(Dr. Jacobs)  
Ken Buono  
Jeff Clevenger  
Dr. Raynor  
Joe Goeden  
Ted Martens  
Ray Rodriguez  
Sylvia Barron  
Doug Haney  
Brad Putz  
Dan Boomer  
Catherine Ellis  
Yvonne Kluttz  
Lynda Terry  
Cindy Simon  
Lupe Perez  
Julie Wilsted  
Rich Bayquen  
Bill Moore  
Gary Kuwabara  
Laura Ramos

### Staff Present

Judy McDonald  
Shannon White  
Robert Sifuentes  
Janet Eaton  
Alan Kerzin  
Szandra Keszthelyi  
Cynthia Fair  
Deanna Dupont  
Virginia Grant  
Charlene Sanders  
Dick Robertson

### Members Absent

Mark Switzer

### Guests Present

Rich Cunningham  
Connie Arnold  
Amanda Good  
Sascha's Attendant  
Elaine Bamberg  
Natasha Littletree  
Debra Hessman  
Andrea Adams  
Pat Winget

## **MONDAY, May 17<sup>th</sup>, 2004**

### **1:30 P.M.**

#### **I. ROLL-CALL**

Roll call was taken.

#### **II. OPENING REMARKS**

#### **III. CALL TO ORDER, Election of Chairperson Pro-Tem (if necessary)**

The meeting was called to order at 1:45pm.

#### **IV. CHAIR'S REPORT**

Chair, Peter Mendoza discussed testifying at the legislative hearings and that he was impressed with the testimony presented. Chair Mendoza thanked everyone who testified during budget hearings and commented that the testimony was very productive. Mendoza also thanked everyone who participated in the Council's Organizational Outcomes Break-out Sessions at the March meeting. Speaking also for Chair Elect Sascha Bittner, Chair Mendoza stated that there were many different points of view expressed at the March meeting break-outs with the understanding that everyone is working to come together in a positive way. Mendoza reported on representing the Council at an Area Board 5 meeting and at a Leadership Forum on State Plans with four other state agencies, including the Independent Council, and the Commission on Aging. He also reported that both he and Chair Elect Bittner have received numerous phone calls and e-mails; and they are working to respond to everyone. Chair Mendoza stated that he and Bittner commend everyone for the hard work they are all doing, including staff at all Council offices. Chair Mendoza introduced Cindy Simon, who was recently appointed by Governor Schwarzenegger to the Council, and was attending her first Council meeting. P. Mendoza asked C. Simon to say a few words. Ms. Simon said that she was glad to be on the Council, on behalf of individuals with developmental disabilities, including her oldest son, and that she is also active as president of the local P.T.A.

#### **V. EXECUTIVE DIRECTOR'S REPORT**

Executive Director Judy McDonald presented a written report (attached) and added that Chair Mendoza and Alan Kerzin, Council Deputy Director for Area Board Operations, and Council staff attended training provided by Protection and Advocacy, Inc. to all Clients Rights Advocates.

#### **VI. MONDAY PUBLIC COMMENTS/DISCUSSION**

Connie Arnold spoke and urged everyone to follow Medi-Cal reform proposals by paying attention to [www.medi-calredesign.org](http://www.medi-calredesign.org), the website for re-design efforts and activities.

#### **VII. ACTION/DISCUSSION/INFORMATION ITEMS:**

##### **A. Election of Officers:**

Dr. Dan Boomer, Chair of the Nomination Committee presented the slate of: Peter Mendoza, Chair and Sascha Bittner, Chair Elect. Dr. D. Boomer also invited nominations for the floor.

**IT WAS MOVED AND SECONDED (S. MADEN/J. WILSTED) AND CARRIED TO APPROVE THE SLATE OF OFFICERS AS PRESENTED.**

Members Peter Mendoza and Sascha Bittner abstained.

Member C. Ellis commented that if the by-law amendments are approved, there will be another election of Council Officers in November 2004.

**B. Consent Calendar:**

**1.) Minutes the March 15<sup>th</sup> & 16<sup>th</sup>, 2004 Council Meeting**

Member, Julie asked to be recorded as voting “no” on Page 6 the motion regarding the names of the Area Board offices of the Council. In addition, Barbara Bromley and Andrea Adams needed to be listed in attendance.

**IT WAS MOVED AND SECONDED (S. MADEN/J. WILSTED) AND CARRIED TO APPROVE THE MINUTES AS WITH THE CHANGES IDENTIFIED.**

**2.) Conflict-of-Interest Waiver requests: (Standing Item)**

The Council received information on a waiver requests from Redwood Coast Regional Center. The Executive Committee recommended support for this waiver request.

**THE COUNCIL MOVED/SECONDED (J. CLEVINGER/B. PUTZ) AND APPROVED REDWOOD COAST REGIONAL CENTER (RCRC) BOARD’S REQUEST FOR A CONFLICT OF INTEREST WAIVER FOR MS. JAQUELINE HAMILTON, INCLUDING HER CONTINUING AS A BOARD MEMBER OF THE RCRC’S BOARD OF DIRECTORS WITH THE CONDITIONS OFFERED BY MS. JAQUELINE HAMILTON.**

Members R. Bayquen and K. Buono abstained.

Member C. Ellis expressed concern that any waiver recommendation received from Area Boards be presented only after the full board had voted. Member J. Clevenger said that Area Board 1 had met on Saturday and approved the Redwood Coast Regional Center request.

**C. Community Program Development Grants:**

The Council considered the recommendations from the Executive Committee as to the number of Cycle 27 highest ranked grant proposals that shall be funded with available federal funds for 2004-05.

**IT WAS MOVED AND SECONDED (D. BOOMER/B. PUTZ) AND CARRIED TO APPROVE THE 10 HIGHEST RANKED GRANT PROPOSALS FOR FUNDING IN CYCLE 27, AND AUTHORIZE THAT THE REMAINING \$65,000 BE AVAILABLE FOR REPLICATION PROJECTS.**

Member S. Bittner abstained.

The Council by consensus, requested that the Planning and Program Development Committee develop a process for the Council to receive replication proposals, after reviewing the work that the USC/UCE had completed for the Council regarding replication of grants.

**D. CLOSED SESSION:**

*[In compliance with Government Code 11126(a)(1) to discuss evaluation of performance and any lay-off of public employees]*

The Council went into closed session at 2:30 pm. The Council reconvened in open session at 5:30pm. No action was reported from the closed session.

Chair Peter Mendoza, recognized Member, Yvonne Klutz for earning a Bowling trophy, at a recent tournament. He also recognized Julie Wilsted for receiving special recognition in a newspaper article (attached).

**E. Annual Evaluation of the Council Executive Director:**

The Council completed the annual evaluation of the Council Executive Director.

**F. May Revision of the State Budget:**

The Council received reports from Department of Health Services and the Department of Developmental Services regarding the May revise of the proposed 2004-05 State Budget.

**At 6:05 p.m. the Council recessed until Tuesday, May 18, 2004 at 9:30 a.m.**

**TUESDAY, MAY 18, 2004 9:30 A.M**

**9:30 A.M.**

**Council Meeting Reconvened**

**TUESDAY PUBLIC COMMENTS/PRESENTATIONS/ACTIONS/DISCUSSION ITEMS (CONTINUE):**

**G. Public Comments:**

Stacy McQueen took off her Council hat and spoke as a member of the public on an issue in her area concerning a community's objection to the opening of a home in the area for individuals with developmental disabilities who were also identified as sex offenders.

Member Joe Goeden suggested that this matter be placed on the July Council agenda.

Chair Mendoza stated this is a statewide issue and he will ask the Executive Committee to place this, as a statewide issue, on the July Council agenda.

**H. Executive Committee Recommendations:**

- 1.) Council Brochure – Executive Committee Chair S. Bittner reported that the Executive Committee recommended approval of the brochure.

**IT WAS MOVED AND SECONDED (S.MADEN/D. HANEY) AND CARRIED TO APPROVE THE COUNCIL'S BROCHURE.**

- 2.) Amendments to the Council By-Laws – S. Bittner reported that the Executive Committee recommends approval of the By-Laws as amended.

After discussion, the Council took no action on the By-laws and members were asked to bring recommended amendments back to the Executive Committee.

Chair P. Mendoza introduced Gary Kuwabara, who is representing the Department of Rehabilitation and had also served on the Council in the past, representing Department of Aging.

- 3.) Proposed Purchase of Service Standards – S. Bittner reported that the Executive Committee recommends the Council consider approving the Committee's suggested alternative regarding Statewide Purchase of Service Standards. The Council discussed the Executive Committee's proposal regarding the State Budget proposal to establish statewide purchase of service standards, the Executive Committee recommends to the Council that the following statement be adopted by the Council:  
Consistent with its actions of January 27 and March 16, 2004, the State Council on Developmental Disabilities continues to strongly oppose any reductions in programs and services that impede the rights to community inclusion for individuals with developmental disabilities. If, in spite of this opposition, cuts are imposed, then the Council believes the only way to implement any cuts without completely and

irrevocably dismantling the consumers' fundamental right to community inclusion is in accordance with the following:

- A. Implement/Expand Self-Determination Programs statewide.
- B. Rather than categorical service reductions, require that individuals/families control any reductions through informed decision making as follows:
  - Determine the percent of Purchase of Service reduction necessary to meet the required "savings" for the budget year.
  - In preparation for the consumer's IPP, the regional center will provide a written report to the consumer, which identifies each service purchased for the consumer over the past year, by type of service, quantity of each service, and total amount paid for each service during the period.
  - Through the IPP process, the consumer/family will make their own decision as to the service reduction(s) that will achieve their fair share of any required purchase of services "savings" for the year.

**IT WAS MOVED AND SECONDED (D. HANEY/D. BOOMER) AND CARRIED TO REJECT THE EXECUTIVE COMMITTEE'S PROPOSAL ON THE STATEWIDE PURCHASE OF SERVICE STANDARDS.**

Members Voting Yes: S. Barron; J. Clevenger; C. Ellis, C. Bujold-Kreutzler, Y. Kluttz, L. Perez, L. Ramos, R. Rogrigues, and J. Wilsted.

Members Voting No: S. Bittner, D. Boomer, J. Goeden, D. Haney, S. Maden, T. Martens, P. Mendoza, and B. Putz.

Members Abstaining: K. Buono, G. Kuwabara, C. Simon, L. Terry

Members Absent: R. Bayquen, E. Cubanski, S. McQueen, O. Raynor, and M. Switzer.

**IT WAS MOVED AND SECONDED (J. GOEDEN/T. MARTENS) AND CARRIED TO CONTINUE THE COUNCIL'S STRONG OPPOSITION TO THE STATEWIDE STANDARDS BUT THAT THE COUNCIL IS LOOKING FORWARD TO WORKING WITH THE ADMINISTRATION AND LEGISLATURE ON FINDING ALTERNATIVE FISCAL SOLUTIONS.**

Members voting No: S. Bittner, S. Maden, P. Mendoza

Members Abstaining: K. Buono, L. Terry, B. Moore, C. Bujold – Kreutzler, G. Kuwabara

Members Absent: R. Bayquen, E. Cubanski, O. Raynor, M. Switzer

By Consensus the Council agreed to send a letter to the Department of Developmental Services (DDS) stating that while the Council continues its strong opposition to the Statewide Purchase of Service Standards, the Council is looking forward to working with the Administration and the Legislature on finding alternative fiscal solutions.

Executive Committee Chair S. Bittner asked the Council to consider the May revise proposal on IHSS.

**IT WAS MOVED AND SECONDED (S. BITTNER/D. HANEY) AND CARRIED TO OPPOSE ANY REDUCTION IN THE HOURLY WAGES AND BENEFITS FOR IHSS PROVIDERS.**

Members K. Buono, B. Moore abstained.

Chair P. Mendoza introduced Tony Anderson, the new Executive Director of the Arc of California, and former Council Deputy Director. Chair Mendoza presented a Certificate of Appreciation to T. Anderson, stating that Tony had helped the Council a great deal and will continue to be an asset to consumers and families, and the Council. Mr. Anderson thanked the Council.

**I. Zero Based Budgeting:**

Council Chief Deputy Director, Cynthia Fair gave a presentation to the Council on Zero Based Budgeting and answered questions about the Department of Finance requirement that the Council submit a Zero Based Budget for 2005-06. No action was taken.

**J. Report from Quality Development Committee:**

Member Sunny Maden, Chair of the Quality Development Committee presented several recommendations from the Committee's April 25, 2004 meeting.

**IT WAS MOVED AND SECONDED (S.MADEN/D. HANEY) AND CARRIED TO SUPPORT SB1475 (VASCONCELLOS – WHICH ESTABLISHES A COUNCIL TO IMPROVE THE ADMINISTRATION AND COORDINATION OF ELDER AND DEPENDENT ABUSE CASES) WITH RECOMMENDATIONS TO THE AUTHOR, IDENTIFYING SPECIFIC AGENCIES AND STAKEHOLDERS TO SIT ON THE PROPOSED COUNCIL; AND ALSO APPROVED FINDING AN AUTHOR TO INTRODUCE LEGISLATION TO CREATE A SIMILAR COUNCIL TO IMPROVE THE ADMINISTRATION AND COORDINATION OF CHILD ABUSE CASES.**

**IT WAS MOVED AND SECONDED (S.MADEN/D. HANEY) AND CARRIED TO SUPPORT SB 1365 (CHESBRO – FOR THE STATE TO REPORT ON OPTIONS TO EXPAND OR MODIFY MEDICAID PLAN OR MEDICAID WAIVERS AND TO ESTABLISH AN OLMSTEAD ADVISORY COUNCIL); AND APPROVED APPROACHING THE AUTHOR REGARDING IDENTIFICATION OF AND THE APPOINTING AUTHORITY FOR THE PROPOSED COUNCIL'S MEMBERS.**

**IT WAS MOVED AND SECONDED (S.MADEN/B. PUTZ) AND CARRIED TO OPPOSE THE PROPOSAL PURCHASE OF SERVICES TRAILER BILL.**

Member K. Buono voted No.

Member B. Moore abstained.

**IT WAS MOVED AND SECONDED (S.MADEN/D. HANEY) AND CARRIED TO APPROVE THE SUPPORT OF DEPARTMENT OF DEVELOPMENTAL SERVICES DIRECTOR CLIFF ALLENBY'S PROPOSAL REGARDING THE CLOSURE OF AGNEWS.**

Member J. Wilsted voted No.

**K. Report from Strategic Planning Sub-Committee:**

Member Catherine Ellis, Subcommittee Chair reported on the Subcommittee action on May 17, 2004 meeting.

Recommend the Council approve:

- (1) Re-defining the purpose of the surveys to be conducted by Xenologix, Inc. as a precursor to the next 5-year plan and as an environmental scan to provide information for the Council's Strategic planning;
- (2) Re-negotiate the details of the agreement (contract) and revise the budget; and
- (3) The Contractor will revise the survey to reflect the new purpose and objectives.

**IT WAS MOVED AND SECONDED (C. ELLIS/D. HANEY) AND CARRIED TO APPROVE THE SUBCOMMITTEES RECOMMENDATION TO CONTINUE THE XENOLOGIX CONTRACT WITH CHANGES.**

Request that the Council authorize the Executive Committee (with the Strategic Planning Committee Participating) to determine both the timelines for the Strategic Planning and obtaining a facilitator.

**IT WAS MOVED AND SECONDED (C. ELLIS/D. HANEY) AND CARRIED TO AUTHORIZE THE EXECUTIVE COMMITTEE, WITH THE STRATEGIC PLANNING SUBCOMMITTEE'S PARTICIPATION, TO DETERMINE TIMELINES FOR THE COUNCIL'S STRATEGIC PLAN ACTIVITIES, AND TO OBTAIN A FACILITATOR.**

**L. Report from Organization Outcomes Task Force:**

No discussion. No action was taken.

**M. Interagency Agreements with Department of Developmental Services:** (P. Mendoza/A. Kerzin)

No discussion. No action was taken.

**N. Advocacy Activities:** (P. Mendoza)

The Council reviewed correspondence regarding Advocacy Activities, and heard from Natasha Littletree, Chair of Area Board 4. J. McDonald, Council Executive Director reported that the Office of the Attorney General is reviewing this matter. It is not known when a response will be received. No action was taken.

**O. Fiscal Information:** (P. Mendoza/C. Fair)

The Council received updated information regarding fiscal matters. No action was taken.

**P. State Plan Update:** (*Standing Item*): (P. Mendoza/J. Eaton)

**IT WAS MOVED AND SECONDED (C. BUJOLD-KREUTZLER/S. MADEN) AND CARRIED TO REPORT TO THE ADMINISTRATION ON DEVELOPMENTAL DISABILITIES (ADD) THAT THE COUNCIL PROPOSED NO 2004-05 AMENDMENTS TO THE 2002-06 STATE PLAN.**

**Q. Proclamations and Resolutions:** (*Standing Item*): (P. Mendoza)

None were presented.

**R. Council Members' Discussion Item and Reports:**

Members were asked to submit written reports, if possible.

1) **Sunny Maden** At-large Parent DC Resident  
Reported that she had been busy working to keep Agnews open and safe.

2) **Peter Mendoza** Senate Nominated Consumer  
Acknowledged Brad Putz' good work as President of People First of California.

3) **Julie E. Wilsted** Local Area Board 7  
Reported that she wants Agnews Developmental Center to stay open and doesn't want it to close.

4) **Bradley J. Putz** Local Area Board 6  
Reported that the People First agenda is posted on Website and meeting will be May 25<sup>th</sup> and Brad will be in Anaheim to kick off the National Self Advocacy conference; and his term will be ending on June 30<sup>th</sup>. He expressed concern with the lack of good programs at high schools for autism. As chair, he initiated discussion with Office of Education and community colleges to help with a transition to college.

5) **Theodore H. Martens** Local Area Board 9  
Thanked the Council and Headquarters staff Janet Eaton, for posting the article (attached) about the league for special kids. He also reported that a Conference on Autism will be held in Santa Barbara.

- 6) **Cliff Allenby/Ken Buono** Dept. of Developmental Services (DDS)  
May revise report was made on 1<sup>st</sup> day. No additional report.
- 7) **Sylvia Barron** Local Area Board 13  
Presented a written report (attached).
- 8) **Sascha M. Bittner** Local Area Board 5  
Will email her report.
- 9) **Jeffery L. Clevenger** Local Area Board 1  
Area board has moved into a new office and it is much more spacious.
- 10) **Catherine M. Ellis** Local Area Board 10  
Area Board 10 held two legislative Forums which were extremely successful. She attached People First Language that was used and presented a written report (attached).
- 11) **Douglas R. Haney** Protection & Advocacy, Inc. (PAI)  
Reported that PAI has put out latest newsletter 916-488-7787 and they will send one to each member. In June he will be giving a presentation on mold infestation. SB732 and AB284 are mold bills that haven't been put into use. The T.V. show "Extreme Makeover" had a whole show about mold problems.
- 12) **Robert Jacobs/Cary Brujold-Kreutzler** USC Center for Excellence (UCE)  
Spoke about a CD for Education Credit about working with kids with Developmental Disabilities.
- 13) **Yvonne P. Kluttz** Local Area Board 11  
Report submitted in writing (attached)
- 14) **Jack O'Connell/Dan Boomer** Department of Education  
Dan spoke on how to effectively report complaints about schools.

**VIII. ADJOURNMENT: IT WAS MOVED AND SECONDED (S.BITTNER/B. PUTZ) AND CARRIED TO ADJOURN IN THE MEMORY OF YOUNG ROSALIA (ROSIE) ANN CAROLLO.**  
**The next Council Meeting is currently scheduled for July 19th & 20th, 2004, in Sacramento.**  
**The meeting adjourned at 3:55pm.**